BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

THE BNSF RAILWAY)	DOCKET NO. TR-050461
COMPANY,)	
)	ORDER NO. 01
Petitioner,)	
)	ORDER GRANTING PETITION TO
V.)	UPGRADE RAILROAD WARNING
)	DEVICES AT THE MAPLE STREET
BINGEN, WASHINGTON)	RAILROAD-HIGHWAY GRADE
)	CROSSING
Respondent.)	
-)	USDOT: 090169V
)	WUTC: 3A 75.70
)	
	,	

BACKGROUND

- On March 25, 2005, The BNSF Railway Company filed a petition with the Commission, seeking approval to upgrade warning devices at a railroad-highway grade crossing. The crossing is located at the intersection of Maple Street and the petitioner's tracks, in the SW ¼ of the NW ¼ of Section 29, Township 3 N., Range 11 E., W.M., in Bingen, Washington. Funding for the upgrade is pursuant to a TEA-21 Section 130 federal aid grant in cooperation with the Washington State Department of Transportation.
- The city of Bingen has consented to an entry of an order by the Commission without further notice or hearing.
- In the vicinity of the crossing, Maple Street is a two-lane local roadway with a speed limit of 25 mph. Average daily traffic through the crossing is estimated at 750 vehicles, including up to 100 semi-truck trips. Sight distance at the crossing is obstructed for southbound motorists by the presence of building structures in the crossing's northeast quadrant.
- Petitioner maintains one mainline track and three siding tracks through the crossing. Average daily train traffic includes 25 freight trains and two passenger

trains, traveling at a maximum speed of 60 mph and 79 mph respectively. The general area is also the site of regular switching operations.

Warning devices at the crossing consist of shoulder-mounted flashing light signals. Petitioner seeks to install new shoulder-mounted flashing light signals with gates. The upgrades are proposed in the interest of improving safety for roadway users.

FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington. *Chapter 81.53 RCW*.
- 7 (2) The Maple Street grade crossing, identified as USDOT 090169V, is a public railroad-highway grade crossing within the state of Washington.
- 8 (3) RCW 81.53.261 requires that the Commission grant approval prior to any changes in the method and manner of traffic control at public railroadhighway grade crossings within the state of Washington.
- 9 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 10 (5) This matter was brought before the Commission at its regularly scheduled meeting on April 13, 2005.
- 11 (6) After examination of the petition filed by the BNSF Railway Company on March 25, 2005, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- The petition of the BNSF Railway Company to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of Maple Street and the petitioner's tracks, in Bingen, Washington, is granted, subject to the following conditions:
 - (1) The upgrades must conform to the plans filed in this proceeding.
 - (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
 - (3) Traffic control devices and instrument housing must be installed in such a manner as to provide required clearances from both the roadway and railroad tracks.
 - (4) Upon completion of the upgrades authorized herein, petitioner must notify the Commission. Acceptance of the changes is subject to inspection by Commission Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.261, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 13th day of April, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary